

AMENDMENTS TO THE DRAWINGS

Please replace the drawing sheet containing original figures 1-4 with the attached Replacement

Sheet amending Fig. 3.

Attachment: One (1) drawing sheet

REMARKS

Claims 1-20 are pending in this Application. Claims 1 and 19 are independent claims. By this Amendment, the specification, claims 1 and 19 and Fig. 3 are amended. No new matter is added.

Drawing Objections

The drawings are objected to for including a reference character (8) not described in the specification. Reference character 8 is described in the specification (paragraphs [0020] and [0027] as an overload device, or overload relay (see also, originally filed claims 14 and 15). Paragraph [0027] is amended to include reference character 8 shown in original figures 3 and 4.

The drawings are also objected to for failing to show "a monitoring device for recording of tripping of the fuse" as recited in dependent claim 12. Figure 3 is amended to show the monitoring device, represented by reference character 12. As the monitoring device was part of the originally filed specification (see paragraph [0018] and claim 12), no new matter is added. As such, withdrawal of the objections is respectfully requested.

Specification Objection

The specification is objected to for allegedly failing to provide "antecedent basis" for "a monitoring device for recording of tripping of the fuse" of claim 12. The specification is amended, at paragraph [0027], to provide reference character 12 for the monitoring device of original claim 12 and as originally described in paragraph [0018]. Thus, no new matter is added. As such, withdrawal of the objection is respectfully requested.

Rejections under 35 U.S.C. §102

Claims 1-3, 5-11, 13-15, 17, 19 and 20 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication 2003/0119382 to Narusevicius, et al. (Narusevicius). Applicants respectfully traverse this rejection for the reasons detailed below.

Narusevicius fails to disclose or suggest each and every feature recited in the rejected claims. For example, Narusevicius fails to disclose or suggest, a protective switching device, comprising...a mechanical interlock between the disconnection device and the terminals that allows removal of the protective switching device from the appliance only when the disconnection device is in an open state, as recited in independent claim 1, or the similar features of independent claim 19, as amended.

Narusecius discloses a voltage motor controller having a contactor 210 connected to fuses 206 and a load 220. The fuses 206 may be housed in a fuse holder 1908, 2012 (Figs. 19, 20) that is removable from the motor controller.

It is alleged in the Office Action that Narusecius discloses all of the features of the rejected claims. However, Narusecius does not disclose or suggest “a mechanical interlock between the disconnection device and the terminals that allows removal of the protective switching device from the appliance only when the disconnection device is in an open state.”

Although Narusecius discloses that the operator of the disconnect switch 1902 is interlocked with the contactor door 304 such that the door 304 cannot be opened and the fuses 1906 or other high voltage components cannot be accessed unless the disconnect switch 1902 is in the open position (paragraph [0091]), there is no disclosure or suggestion that the motor controller cannot be removed from the appliance unless the disconnection device (fuse holder 1908, 2012) is in an open position.

Accordingly, withdrawal of the rejection is respectfully requested.

Rejections under 35 U.S.C. §103

Claims 4 and 18 stand rejected under 35 U.S.C. §103(a) as unpatentable over Narusevicius in view of U.S. Patent 6,710,698 to Jehlicka. Claim 12 stands rejected under 35 U.S.C. §103(a) as unpatentable over Narusevicius in view of U.S. Patent No. 4,317,076 to Price. Applicants respectfully traverse these rejections for the reasons detailed below.

Claims 4, 12 and 18 are allowable for their dependency on independent claim 1 for the reasons discussed above, as well as for the additional features recited therein.

Claims 1-3, 5-11, 13, 16, 17, 19 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,108,206 to Criniti in view of U.S. Patent 5,969,587 to Combas. Applicants respectfully traverse these rejections for the reasons detailed below.

The combination of references fails to disclose or suggest, a protective switching device, comprising...a mechanical interlock between the disconnection device and the terminals that allows removal of the protective switching device from the appliance only when the disconnection device is in an open state, as recited in independent claim 1, or the similar features of independent claim 19, as amended.

It is admitted in the Office Action that Criniti fails to disclose a “disconnection device” as recited in the rejected claims. In an effort to overcome the admitted deficiency, Combas is combined for allegedly disclosing the feature deficient in Criniti. Combas discloses a sliding actuator lever 114 that holds a fuse 116 for insertion into an auxiliary switch 110. However, even were Criniti modified with the teachings of Combas, the combination of references fails to disclose or suggest “a mechanical interlock between the disconnection device and the terminals that allows removal of the protective switching device from the appliance only when the disconnection device

is in an open state."

Therefore, withdrawal of the rejection is respectfully requested.

Claims 4 and 18 stand rejected under 35 U.S.C. §103(a) as unpatentable over Crinti and Combas in view of Jehlicka. Claim 12 stands rejected under 35 U.S.C. §103(a) as unpatentable over Crinti and Combas in view of Price. Claims 14 and 15 are rejected under Applicants 35 U.S.C. §103(a) as unpatentable over Crinti and Combas in view of U.S. Patent Application Publication 2002/0093774 to Chung. Applicants respectfully traverse these rejections for the reasons detailed below.

Claims 4, 12, 14, 15 and 18 are allowable for their dependency on independent claim 1 for the reasons discussed above, as well as for the additional features recited therein.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-20 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Fitzpatrick at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, Dickey, & PIERCE, P.L.C.

By

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Attachment: One (1) drawing sheet